THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.17161 of 2006

Date 13-09-2006

Between:

Punem Bhadraiah.

..... PETITIONER

AND

The Agent to Government/District Collector, Khammam and another.

.....RESPONDENTS

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION No.17161 of 2006

O R D E R :

This writ petition is filed seeking a declaration that the alleged action of the second respondent-Mandal Revenue Officer and his staff in taking steps to dispossess the petitioner from the land admeasuring Ac.3.00 in Sy.No.49/15 situated at Lanka Mallaram village without issuing any notice or without initiating any proceedings under law as arbitrary and illegal.

The petitioner claims to be the absolute owner and possessor of the land admeasuring Ac.3.00 in Sy.No.49/15 situated at Lanka Mallaram village. It is not in dispute that the land is located in the Agency area. The petitioner claims that he belongs to S.T. Community.

This Court while directing notice to the respondents ordered that the petitioner shall not be dispossessed from the land in question without following due process of law.

The Mandal Revenue Officer, Manuguru Mandal filed a counter affidavit stating that Sy.No.49 is a Government land consisting of 1085 acres in Mallaram village of Manuguru Mandal, out of which, Ac.3.00 had been assigned to the petitioner in Sy.No.49/15 as part of the assignment activity. It is further stated that out of the balance extent of vacant Government land, an extent of Ac.2.13 gts., in Sy.No.49/2 had been transferred and handed over to APSEB in the year 1977 for construction of proposed thermal power station at Manuguru. The allegation that the second respondent had interfered with the possession of the petitioner in

Sy.No.49/15 covering an extent of Ac.3.00 in Mallaram village has been specifically denied and it is stated that no part of his patta land has been transferred to the Medical and Health Department and that either the second respondent or his staff never interfered with the possession and enjoyment of the petitioner. It is also stated that the Government land in Sy.No.49/2 covering an extent of Ac.2.37 gts., the possession of which was taken long back from the Heavy Water Plant (Manuguru) was now proposed for construction of 30 bedded hospital.

In the light of the counter affidavit, it is clear that the allegations made by the petitioner are unfounded and there is no threat of dispossession as alleged by him. Accordingly, recording the statement of respondents in their counter affidavit, the writ petition is disposed of. No order as to costs.

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13-09-2006

Note:Furnish copy within one week
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